Government of Kerala
1974

Reg. No. K. 580

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XIX] Trivandrum, Monday, 28 th October 1974 / 6th Karthika 1896 [No. 741

GOVERNMENT OF KERALA

Revenue (N) Department

NOTIFICATION

No. 24988/N1/74/RD. *Dated, Trivandrum, 21st October 1974.*

In exercise of the powers conferred by section 100A of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerala hereby make the following amendment to their Notification No. G. O. (P) 139/73/RD dated 6th April 1973, published as S. R. O. No. 240/73 in the Kerala Gazette Extraordinary dated 6-4-1973 as subsequently amended, namely:—

AMENDMENT

In the schedule to the said Notification, under the heading "KOZHIKODE DISTRICT", in column (2) against the entry "4 South Wynad" in column (1), for item 5, the following item shall be substituted, namely:—

"5. T. Mohanan,
Echom (P. O.),
Via. Mananthavadi."

By order of the Governor,
K. V. RAMAKRISHNAN,
Secretary to Government.

22/3336/MC.

Explanatory Note

Sri Kovalam Sudhakaran, Member, Taluk Land Board, South Wynad expired on 25-4-1974. This has necessitated the nomination of another member in his place. This Notification is intended to achieve the above objective.

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1974

Reg. No. K. 102

KERALA GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XIX] Trivandrum, Monday, 28th October 1974 / 6th Karthika 1896 [No. 743

GOVERNMENT OF KERALA
Revenue (P) Department

NOTIFICATION

G. O. (P) 1067/74/RD. *Dated, Trivandrum, 19th October 1974.*

S. R. O. No. 791|74.—In exercise of the powers conferred by section 15 of the Kerala Land Conservancy Act, 1957 (8 of 1958), the Government of Kerala hereby authorise all Assistant Engineers of the National Highways Department to exercise the powers conferred on a Collector under section 11 of the said Act within their respective jurisdiction.

By order of the Governor,
K. V. RAMAKRISHNAN,
Revenue Secretary.

Explanatory Note

Sub Section (3) of section 11 of the Kerala Land Conservancy Act, 1957 enjoins that where the collector is of opinion that it is expedient in the public interest to take urgent action without following the usual procedure laid down in sub section (2), he may, after recording his reasons, issue notice to the person in occupation calling upon him to vacate the land within a specified period and if the land is not vacated within the period, any officer authorised by the Collector may enter upon the land and take

possession of the same, if necessary by using force. Section 15 of the Act lays down that the Government may by notification in the Gazette authorise any Officer by name or by virtue of his Office to exercise all or any of the powers conferred on a collector under the Act.

It has been observed that, of late, encroachments on National Highways in the State are on the increase. Unless speedy and effective measures are taken to evict the encroachers then and there it will become difficult to remove the encroachments at a later date. The present practice of Officers of the P. W. D. (National Highway Wing) bringing encroachments to the notice of the officers of the Revenue Department and the officers of the Revenue Department initiating action under the Kerala Land Conservancy Act entails delay. It is therefore considered necessary and desirable to delegate the powers of Collecetor under Section 11 to the Assistant Engineers of the National Highways Department. The notification is intended to achieve this object.

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Government of Kerala
1974

Reg. No. K. 107.

KERALA GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XIX] Trivandrum, Monday, 28th October 1974 / 6th Karthika 1896 [No. 740

GOVERNMENT OF KERALA

Revenue (N) Department

NOTIFICATION

No. 51606/N1/73/RD. *Dated, Trivandrum, 21st October, 1974.*

S. R. O. No. 790|74.—In exercise of the powers conferred by section 129 of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerata hereby make the fotlowing amendment to the Kerata Land Reforms (Tenancy) Rules, 1970 published as S. R. O. No. 3/70 in the Kerala Gazette Extraordinary No. 3 dated the 1st January, 1970, as subsequently amended, namely:—

AMENDMENT

In the said rules, for rule 108, the following rute shall be substituted, namely:—

"108. *Collection of Postage, etc.*

(1) Amounts necessary for postage, commission batta, mileage, witness batta, etc., payable by parties, shall be collected in advance by the Head Ministerial Officer on issuing receipts in Form TR5 and kept under safe custody to be utilised by him for the requisite purposes.

(2) The Land Tribunal shall verify and satisfy himself that the amounts of such collections made as per receipt books in Form TR5 have been duly accounted for in the cash book in Form TR7A, and that all payments made out of such collections are supported by proper vouchers.

(3) The Land Tribunal shall see that out of such collections, any amount exceeding two hundred and fifty rupees at a time is deposited in the Government Treasury, to the credit of his P. D. Account, to be drawn later when occasion demands."

By order of the Governor,

K. V. RAMAKRISHNAN,

Secretary to Government.

Explanatory Note

The accounts of the amounts necessary for postage, commission batta, mileage, witness batta and plan fees collected in advance by the Head Ministerial Officer and kept under safe custody and to be utilised by him for the requisite purposes referred to in rule 108 (1) of the KLR (T) Rules, though handled by the Head Ministerial Officer, need not be in the name of the Head Ministerial Officer as now provided for in the Rules. The responsibility for the utilisation of such amounts collected may be made to rest on the Land Tribunal himself and the Land Tribunal can discharge this responsibility by verifying the receipt books in Form TR5 in the case of such cash receipts and the relevant vouchers for payments, if any, made on every day on which there are cash transactions as, after all, the Land Tribunal as the Head of the office, is even otherwise expected to verify and attest the entries in the cash book in Form TR 7A on all days on which there are transactions. The amount of such collections in excess of Rs. 250 referred to in rule 108 (2) of the said rules, may also be required to be credited to the P. D. Account of the Land Tribunal himself. From the point of view of efficiency and easiness in the matter of accounting and also to avoid almost a duplicate set of accounts in regard to certain set of transactions, it is better to amend the existing rules so as to provide for the above.

This notification is intended to achieve the above objective.

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